

pending. The Office Action rejects claims 1-15 and 17-27 under 35 U.S.C. § 102(e) as allegedly anticipated by LONG et al. (U.S. Patent No. 5,912,956). The Office Action further rejects claims 1-4 under 35 U.S.C. § 102(e) as allegedly anticipated by WALKER (U.S. Patent No. 5,825,863). The Office Action also rejects claim 16 under 35 U.S.C. § 103(a) as allegedly unpatentable over LONG et al. Reconsideration of the outstanding rejections of claims 1-27 is respectfully requested in view of the following remarks.

Claims 1-15 and 17-27 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by LONGO et al. Applicants respectfully traverse and submit that LONGO et al. does not anticipate the claims as amended.

LONGO et al. discloses an identification tag that can be carried by persons, pets or objects and which provides instructions on how a finder or holder of the identification tag can make a toll-free telephone call to a person responsible for the person, pet or object carrying the identification tag. In one embodiment of the invention disclosed by LONGO et al., the identification tag may further be used as a limited usage calling card (see column 5, lines 59-66). The tag owner may purchase time units for the tag such that the tag can be used as a prepaid calling card with limited available amounts of time (see prompt #12 of step 110, FIG. 7 and column 6, lines 26-33). In this embodiment, a tag owner may additionally record a message that can be played back, in response to prompted inputs, by a subsequent caller calling a toll-free number (see prompt #9 of step 110, FIG. 7 and column 5, lines 35-47). LONGO et al., therefore discloses a prepaid calling card that has available time units that can be purchased by the card user and an associated system (20, FIG. 1) that can record an audio message.

In view of the description above, Applicants respectfully submit that LONGO et al. does not disclose or suggest the combination of features recited in amended claim 1. Among other features, claim 1 recites the suspending "the recording of the at least one message when the received audio data indicates a prescribed period of silence." LONGO et al. contains no teaching or suggestion of this feature of claim 1. Applicants, therefore, respectfully request the withdrawal of the rejection of claim 1 under 35 U.S.C. § 102(e).

Claims 2-8 variously depend from claim 1. These claims, therefore, patentably distinguish over LONGO et al. for at least the reasons set forth with respect to claim 1 above.

Applicants further respectfully submit that LONGO et al. does not disclose or suggest the combination of features recited in amended claim 9. Among other features, claim 9 recites "determining...whether the prepaid telephone calling card comprises a first type of card; if the prepaid telephone calling card comprises the first type of card, initiating the recording of the at least one message...; and if the prepaid telephone calling card does not comprise the first type of card, directing a caller associated with the service setup call to call a first telephone number." LONGO et al. contains no teaching or suggestion of these features of claim 9. Applicants, therefore, respectfully request the withdrawal of the rejection of claim 9 under 35 U.S.C. § 102(e).

Claims 10-13 depend from claim 9. These claims, therefore, patentably distinguish over LONGO et al. for at least the reasons set forth with respect to claim 9 above.

Regarding claims 14-15, Applicants have canceled these claims by the present amendment. The rejection of these claims is, therefore, moot.

Applicants also respectfully submit that LONGO et al. does not disclose or suggest the combination of features recited in amended claim 17. Among other features, claim 17

recites initiating "the playback of the at least one message during the access call" and deleting "the at least one message from the data storage system in response to the playback of the at least one message." LONGO et al. contains no teaching or suggestion of these features of claim 17. Applicants, therefore, respectfully request the withdrawal of the rejection of claim 17 under 35 U.S.C. § 102(e).

Claims 18-24 variously depend from claim 17. These claims, therefore, patentably distinguish over LONGO et al. for at least the reasons set forth with respect to claim 17 above.

Applicants further respectfully submit that LONGO et al. does not disclose or suggest the combination of features recited in amended claim 25. Among other features, claim 25 recites "receiving a call access request associated with the prepaid telephone calling card" and "automatically initiating playback of the at least one audio message responsive to the call access request." As discussed above, LONGO et al. discloses the playback of a message recorded by a tag owner in response to inputs by a caller that are prompted by the system of LONGO et al. LONGO et al. contains no suggestion or teaching of the automatic playback of an audio message in response to a call access request by a caller. Applicants, therefore, respectfully request the withdrawal of the rejection of claim 25 under 35 U.S.C. § 102(e).

Claims 26-27 depend from claim 25. These claims, therefore, patentably distinguish over LONGO et al. for at least the reasons set forth with respect to claim 25 above.

Claims 1-4 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by WALKER. Applicants respectfully traverse and submit that WALKER does not anticipate the claims as amended.

WALKER merely discloses a system that permits the prepayment of telephone call charges associated with a calling card, but which further allows the cardholder to designate a limited number of telephone numbers to which the calling card can make authorized calls. WALKER, therefore, does not teach or suggest suspending "the recording of the at least one message when the received audio data indicates a prescribed period of silence" as recited in claim 1. Applicants, thus, respectfully request the withdrawal of the rejection of claim 1 under 35 U.S.C. § 102(e).

Claims 2-4 variously depend from claim 1. These claims, therefore, patentably distinguish over WALKER for at least the reasons set forth with respect to claim 1 above.

Claim 16 was rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over LONGO et al. Claim 16 has been canceled by the present amendment. The rejection of this claim is, therefore, moot.

By the present amendment, Applicants have added new independent claims 28-32. Applicants respectfully submit that LONGO et al. or WALKER, either singly or in combination, do not suggest or disclose the combination of features recited in these claims. For example, neither LONGO et al. nor WALKER suggests or discloses "initiating playback of the at least one audio message affiliated with the prepaid telephone calling card if the prepaid telephone calling card comprises an audio message type calling" and "initiating a call in response to the call access request if the prepaid telephone calling card does not comprise an audio message type calling card" as recited in claim 28. Further, LONGO et al. and WALKER do not suggest or disclose "initiating playback of the at least one audio message if the at least one audio message has previously been stored" and "initiating playback of an audio message unaffiliated with the prepaid telephone calling card if the at least one audio

message has not previously been stored" as recited in claim 29. Additionally, LONGO et al. and WALKER do not suggest or disclose initiating "the playback of the at least one message during the access call," determining "a number of times the at least one message has been played back," and deleting "the at least one message from the data storage system responsive to the determination of the number of times that at least one message has been played back" recited in claim 30. The Examiner's favorable consideration and allowance of new claims 28-32 is, therefore, respectfully requested.

In view of the foregoing amendments and remarks, Applicants request the Examiner's reconsideration of this application, and the timely allowance of the pending claims. If any questions remain, the Examiner is invited to contact the undersigned at the telephone number listed below. To the extent necessary, a petition for an extension of time under 37 CFR 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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